



SFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants : Mark C. Schmidt et al.
Application Serial No.: 10/630,358
Filing Date: July 30, 2003
Title: AUTOMATICALLY-ACTIVATED WIRELESS LASER
SCANNING 2D BAR CODE SYMBOL READING SYSTEM
CAPABLE OF AUTOMATICALLY TRANSMITTING STORED
SYMBOL CHARACTER DATA WHEN THE HAND-
SUPPORTABLE UNIT IS OPERATED WITHIN ITS RF DATA
COMMUNICATION RANGE AND AUTOMATICALLY
COLLECTING AND STORING SYMBOL CHARACTER
DATA WHEN THE HAND-SUPPORTABLE UNIT IS
OPERATED OUTSIDE OF ITS RF DATA COMMUNICATION
RANGE
Examiner : n/a
Group Art Unit : 2876
Attorney Docket No. : 108-194USANF0

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

RESPONSE TO NOTICE OF MISSING PARTS OF APPLICATION
FILING DATE GRANTED

Sir:

In response to the Notice to File Missing Parts of Application dated July 18, 2005, which states that the compact disc filed November 3, 2003 failed to comply with 37 CFR 1.52(e), Applicants submit herewith the following statement:

Applicants respectfully point out that on January 8, 2004, a Notice to File Missing Parts of Application was mailed from the USPTO, which also contained the statement that the compact disc filed November 3, 2003 failed to comply with 37 CFR 1.52(e).

The compact disc was submitted on November 3, 2003 as an attachment to an Information Disclosure Statement, and contained U.S. references cited therein in .pdf format.

On April 12, 2004, in response to the Notice to File Missing Parts of Application dated January 8, 2004, Applicants submitted hard copies of the U.S. references originally submitted on the compact disc on November 3, 2003. A copy of the Return Postcard, date-stamped by the USPTO in receipt of these references, is enclosed herewith.

Therefore, Applicants believe that the Notice to File Missing Parts of Application dated July 18, 2005, requesting that the same U.S. references be submitted, was mailed in error.

Furthermore, Applicants respectfully point out that they are not required to submit copies of U.S. references cited in Information Disclosure Statements, as stipulated under 37 C.F.R. 1.98(2).

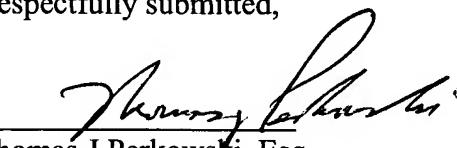
Applicants believe that no fees are due at this time. However, if deemed necessary, the Commissioner is hereby authorized to charge any fee deficiencies or overpayments to Deposit Account No. 16-1340.

Please address all correspondence to the undersigned attorney at the following address:

Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902

Respectfully submitted,

Dated: August 19, 2005

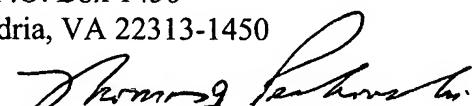


Thomas J Perkowski, Esq.
Attorney for Applicants
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CERTIFICATE OF MAILING UNDER
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on August 19, 2005, in a Postage Prepaid envelope as, First Class Mail, addressed to:

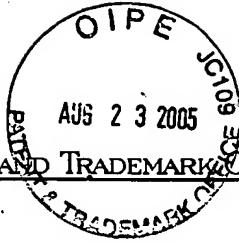
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Thomas J Perkowski, Esq.
Date: August 19, 2005
Page 2 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/630,358 | 07/30/2003 | Mark Schmidt | 108-194USANFO |

Thomas J. Perkowski, Esq., P.C.
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1266 East Main Street
Stamford, CT 06902

CONFIRMATION NO. 9266

FORMALITIES LETTER



OC000000016540820

Date Mailed: 07/18/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that they contain non-ASCII files. A new duplicate set of compact discs with only ASCII files is required. Any replacement compact disc submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. If a directory of the disc could be printed, it is attached and non-ASCII files are marked on the directory listing.
- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that only a single copy of each disc was provided. A duplicate copy of each compact disc must be provided on Compact Disc-Read Only Memory (CD-ROM) or a Compact Disc-Recordable (CD-R) media. Any replacement compact discs submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set.
- This application contains compact disc(s) as part of the originally filed subject matter or as an amendment, however the information contained on the compact disc(s) is not one of the types of information that may be submitted on compact disc(s). (see 37 CFR 1.52(e)).

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed

Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



The date stamp of the U.S. Patent and Trademark Office is official acknowledgement of their receipt of the following documents:

Response to Notice to File Missing Parts; Copy of Combined Declaration of Inventorship and Power of Attorney; Copies of Information Disclosure Statement with U.S. prior art references and 1449 Form; Thomas J. Perkowski, Esq., PC Check No. 4109; Petition for Extension of Time; and Certificate of First Class Mailing under C.F.R. 1.08 dated April 8, 2004.

Applicants: Mark C. Schmidt et al.

USSN# 10/630,358

Filed: JULY 30, 2003

Title: AUTOMATICALLY-ACTIVATED WIRELESS LASER SCANNING 2D BAR CODE SYMBOL
READING SYSTEM CAPABLE OF AUTOMATICALLY TRANSMITTING STORED...

Attorney Docket: 108-194USANF0

Attorney: Thomas J Perkowski, Esq.

Date Mailed: April 8, 2004

